

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

STEVEN JAMES KARPINSKI,	:
Plaintiff	:
v.	: Case No. 3:21-cv-221-SLH-KAP
PENNSYLVANIA DEPARTMENT OF	:
CORRECTIONS, <i>et al.</i> ,	:
Defendants	:

Memorandum Order

Plaintiff's motion to reconsider, ECF no. 82, and motion to re-open discovery, ECF no. 83, are denied. "You granted another party's motion so you have to grant mine" is not a legal argument. Plaintiff's suggestion that serving discovery in March 2024 in a case pending since the beginning of 2022 is diligent because he was busy litigating, *inter alia*, an invalid interlocutory appeal is rejected. If plaintiff needs some specific discovery to respond to a summary judgment motion, plaintiff can file a motion under Fed R. Civ. P 56(d).

Plaintiff's motions at ECF no. 84, ECF no. 85, and ECF no. 86 are denied. For the reasons given in a Report and Recommendation filed today, the Estate of Brian Hyde should not be substituted as a defendant and the motions to do so are therefore unnecessary.

The medical defendants' most recent motion to extend the time to file a motion for summary judgment, ECF no. 78, is granted to June 30, 2024. Excusable neglect is shown, and as the original motion to extend time shows counsel has been litigating in the shadow of family tragedy and, given the probable length of plaintiff's medical records, the chance that any extension would delay disposition of this matter is minimal. That is especially true given the pendency of defendant Irwin's motion to dismiss, ECF no. 87, to which plaintiff's response is *sua sponte* extended to June 30, 2024.



DATE: June 11, 2024

Keith A. Pesto,
United States Magistrate Judge

Notice to counsel by ECF and by U.S. Mail to:

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